

whistleblowing activities and subsequent blacklisting. On November 4, 1996, the Administrative Law Judge (ALJ) issued a Recommended Decision and Order (R. D. and O.) finding that Sargent & Lundy had no knowledge of Hasan's past protected activities and that he was not refused employment as a result of a blacklist. The ALJ also found that Hasan was not hired because Sargent & Lundy had little need for engineers with Hasan's level of expertise.

In Case No. 96-ERA-0017, Hasan alleges that Respondent Intergraph Corporation (Intergraph) also knew about his protected activity at Nuclear Power Services, that Intergraph denied him employment, and that Intergraph's denial of employment was based on its knowledge of his protected activity. On January 22, 1997 a different ALJ issued an R. D. and O. holding that Hasan failed to prove that Intergraph, or any of its employees, were aware of his protected activities. The ALJ also found that Hasan was not hired because the vacant position being sought by Hasan was filled internally by Intergraph.

The records in these cases have been thoroughly reviewed, and we find that they fully support the ALJs' findings of fact and conclusions of law.^{1/} (*See*, attached copies). *Remusat v. Bartlett Nuclear, Inc.*, Case No. 94-ERA-36, Sec. Fin. Dec. and Ord., Feb. 26, 1996, slip op. at 2; *Stockdill v. Catalytic Industrial Maintenance Co., Inc.*, Case No. 90-ERA-43, Sec. Fin. Dec. and Ord., Jan. 24, 1996, slip op. at 2; *Miller v. Thermalkem, Inc.*, Case No. 94-SWD-1, Sec. Fin. Dec. and Ord., Nov. 9, 1995, slip op. at 1; *Minard v. Nerco Delamar Co.*, Case No. 92-SWD-1, Sec. Fin. Dec. and Ord., July 25, 1995, slip op. at 1-2; *Daugherty v. General Physics Corp.*, Apr. 19, 1995, slip op. at 2. Accordingly, these consolidated cases are **DISMISSED**.

SO ORDERED.

DAVID A. O'BRIEN

Chair

KARL J. SANDSTROM

Member

JOYCE D. MILLER

Alternate Member

^{1/} The ALJ's analysis in 96-ERA-27 discusses at length Hasan's establishment of a *prima facie* case. R. D. and O. at 8, 10, 11, 13. Since this case was fully tried on the merits, the ALJ's task was to weigh all the evidence and testimony and decide whether the Complainant had proved by a preponderance of the evidence that Sargent & Lundy intentionally discriminated against him because of his protected activity. *James v. Ketchikan Pulp Co.*, Case No. 94-WPC-4, Sec. Fin. Dec. and Ord., Mar. 15, 1996, slip op. at 3; *Cook v. Kidimula International, Inc.*, Case No. 95-STA-44, Sec. Fin. Dec. and Ord. of Dism., Mar. 12, 1996, slip op. at 2, n.3; *Creekmore v. ABB Power Systems Energy Services, Inc.*, Case. No. 93-ERA-24, Dep. Sec. Dec. and Rem. Ord., Feb. 14, 1996, slip op. at 7-8.